

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Jerome P. Owens

Docket No. 5:13-MJ-1807-1

Petition for Action on Probation

COMES NOW Keith W. Lawrence, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jerome P. Owens, who, upon an earlier plea of guilty to Count 1- Simple Possession of Marijuana, in violation of 21 U.S.C. § 844(a) and Count 2- Driving While License Suspended, in violation of 18 U.S.C. § 13, assimilating N.C.G.S. 20-28(a), was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on December 11, 2013, to a 12-month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
2. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
3. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
4. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 45 days as directed by the probation office, and shall abide by all rules and regulations of the designated facility. (25 days suspended and defendant shall receive credit for time served.)
5. Court orders that the defendant shall be regularly and routinely drug tested.

On February 7, 2014, as a result of committing the offense of Driving While License Revoked, the defendant's probation was modified to include 16 hours of community service. On April 3, 2014, a Violation Report was submitted to the court due to the defendant testing positive for marijuana. At that time, the court agreed to continue supervision to allow the defendant to complete a substance abuse program.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On October 15, 2014, the defendant committed the offense of Driving While License Revoked, in Cumberland County, North Carolina. He admitted to this probation officer that he operated a motor vehicle while not properly licensed. As a sanction for this conduct and in an effort to deter future criminal conduct, we are recommending that the conditions of probation be modified to include three days in custody. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of three days commencing as soon as can be scheduled by his probation officer and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervisory U.S. Probation Officer

/s/ Keith W. Lawrence
Keith W. Lawrence
Senior U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: October 16, 2014

ORDER OF COURT

Considered and ordered this 16 day of October, 2014, and ordered filed and made a part of the records in the above case.


James E. Gates
U.S. Magistrate Judge